

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
MEMPHIS DIVISION

FILED BY *[Signature]* D.C.

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UNITED STATES OF AMERICA
Plaintiff

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CR. NO. 2:05cr-20132-B

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, MEMPHIS

RICHARD ESTEVANES
Defendant

MOTION GRANTED

DATE: 10-31-2005

**DEFENDANT'S UNOPPOSED MOTION
FOR CONTINUANCE**

[Signature]
BERNICE BOUIE DONALD
U.S. DISTRICT JUDGE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, RICHARD ESTEVANES, Defendant herein, by and through his attorney, CHARLES A. BANKER, III, and files this Unopposed Motion for Continuance of his Status Hearing currently set for Thursday, October 27, 2005 at 9:00 a.m., and for cause would show unto the court as follows:

I.

Charles A. Banker, III is still in the process of reviewing all discovery which has been received on Defendant's case. Defendant has met with attorney several times to discuss the discovery but because of defense counsel's heavy caseload in both state and federal courts both at his McAllen and Houston offices, he has not had the time to complete a final review of discovery; however, Defendant and attorney Banker have made plans to meet in the next coming weeks to finalize review of all discovery and discuss Defendant's possible options for a resolution to his case. It is for this reason that Defendant is requesting a continuance of his Status Hearing to the court's next setting, November 17, 2005.

II.

Defendant's attorney has conferred with Lorraine Craig, the Assistant United States Attorney assigned to this case and the Government is ~~Not Opposed to this motion for~~ continuance.

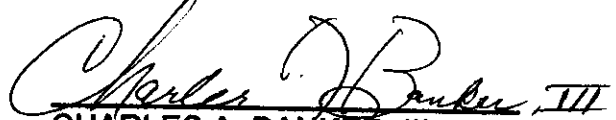
(45)

III.

This Continuance is made not for the purpose of delay but for justice to be done.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that this honorable court will grant the continuance as requested herein.

Respectfully submitted,



CHARLES A. BANKER, III

State Bar No. 01676780

Federal No. 8965

118 West Pecan Boulevard

McAllen, Texas 78501

(956)687-9133

(956) 687-2510--FAX

ATTORNEY FOR DEFENDANT

By: 
With Permission

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of October, 2005, a true and correct copy of the foregoing Motion was provided via facsimile number (901)544-4230 to the office of Lorraine Craig, the Assistant United States Attorney assigned to handle this case, and hard copy was placed in U.S. mail to her office address.



CHARLES A. BANKER, III

By: 
With Permission

CERTIFICATE OF CONFERENCE

I hereby certify that I have conferred with Lorraine Craig, the Assistant United States Attorney assigned to this case, with regard to the foregoing motion for continuance and the Government is Not Opposed.



CHARLES A. BANKER, III

By: 
With Permission



Notice of Distribution

This notice confirms a copy of the document docketed as number 45 in case 2:05-CR-20132 was distributed by fax, mail, or direct printing on November 1, 2005 to the parties listed.

Charles A. Banker
118 West Pecan Blvd.
McAllen, TX 78501

Lorraine Craig
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Honorable Bernice Donald
US DISTRICT COURT